8445351/2024/VIG-IV-REV01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Prohibition and Excise Department – ACB registered case under the Prevention of Corruption Act, 1988 - Departmental Proceedings against Smt Thokkudubiyyapu Jayasheela, P&E Sub-Inspector, Integrated Check Post, Purushothapuram, Itchapuram Mandal, Srikakulam District under rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules – 1991 – Articles of Charges – Issued.

REVENUE (VIGILANCE.IV) DEPARTMENT

G.O.Rt.No.63 **Dated.22.01.2024.**

Read the following:-

1. From DG, ACB, AP Lr.Rc.No.96/RCO-VSK/2016-S.12, dt:13.11.2018(Cr.No.7/ACB-RCO-SKL/2016)
2. Govt.Memo No.19022/5/2017-Vig.IV-Rev, dated:15.02.2019
3. Govt.Memo No.19022/5/2017-Vig.IV-Rev, dated:09.03.2021
4. From DG, ACB, AP Lr.Rc.No.96/RCO-VSK/2016-S.12, dt:16.05.2019 along with its enclosures Act 29 of 2022 to repeal the Andhra Pradesh Civil Services (Disciplinary Proceedings Tribunal) Act, 1960 and to provide for matters connected therewith or incidential thereto published in AP Gazette, Part- IV-B Exordinary No.29, Amaravati, dt.22.12.2022.
5. G.O.Ms.No.98, GA (Ser.F) Dept., dated 18.08.2022
6. From Lr.Rc.No.96/RCO-VSK/2016 S-12, dated:28.08.2023 along with its enclosures received from the DG, ACB, AP,
7. Vijayawada.

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ORDER:

Whereas in the reference 1st cited, the DG, ACB has recommended to place Smt Thokkudubiyyapu Jayasheela, P&E Sub-Inspector on her defence before TDP along with others, who involved in the Surprise check case at Integrated Check Post Purushothapuram, Itchapuram Mandal, Srikakulam District

2. And whereas, in the reference 2nd read above, the Government have placed Smt Thokkudubiyyapu Jayasheela, P&E Sub-Inspector on her defense before the Tribunal for Disiciplinary Proceedings along with others and sent Part-B Notes to TDP in the reference 3rd read above.

3. Whereas, in the reference 7th read above, it was ordered that "the Tribunal constituted under the repealed Act shall stand abolished and all cases pending before the said Tribunal for Disciplinary Proceedings on the said date shall stand transferred to the Commissioneriate of Inquiries (COI) to continue the pending proceedings and shall be disposed of by it in accordance with the statutory rules governing conduct of the disciplinary proceedings in due compliance with principles of natural justice".

(PTO)

4. Accordingly, it is proposed to hold an inquiry against the said Smt Thokkudubiyyapu Jayasheela, P&E Sub-Inspector, Srikakulam District in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

5. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure.I). A statement of the imputations of misconduct or misbehavior in support of each article of charge is enclosed (Annexure.II). A list of documents by which and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure III & IV).

6. Smt Thokkudubiyyapu Jayasheela, P&E Sub-Inspector, Integrated Check Post, Purushothapuram, Itchapuram Mandal, Srikakulam District is directed to submit her written statement of defence within 15 days from the receipt of this order and also to state whether she desires to be heard in person.

7. She is informed that inquiry will be held only in respect of those articles of charge, which are not admitted. She should, therefore, specifically admit or deny each article of charge.

8. Smt Thokkudubiyyapu Jayasheela, P&E Sub-Inspector, Integrated Check Post, Purushothapuram, Itchapuram Mandal, Srikakulam District is further informed that if she does not submit her written statement of defence on or before the date specified in para 6 above, or does not appear in person before the inquiring authority or otherwise fails or refused to comply with the provisions of Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991, or the orders/directions issued in pursuance of the said Rules, the inquiring authority may hold the inquiry against him ex-parte.

9. Attention of Smt Thokkudubiyyapu Jayasheela, P&E Sub-Inspector, Integrated Check Post, Purushothapuram, Itchapuram Mandal, Srikakulam District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on her behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that she is aware of such a representation and that it has been made at his instance and action will be taken against her for violation of Rule 24 of Andhra Pradesh Civil Service (Conduct) Rules, 1964.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

(PTO)

To

Smt Thokkudubiyyapu Jayasheela, P&E Sub-Inspector, Integrated Check Post, Purushothapuram, Itchapuram Mandal, Srikakulam District (now retired) through the Commissioner of Prohibition & Excise, Andhra Pradesh, Vijayawada. (w.e.) (02) copies.

The Commissioner of Prohibition & Excise, Andhra Pradesh, Vijayawada (with a request to serve the G.O. to the individual and furnish served copy with dated signature for record).

Copy to:-

The Director General, Anti Corruption Bureau, Andhra Pradesh, Vijayawada.

The Secretary, Andhra Pradesh Vigilance Commission, A.P.Secretariat, Velgapudi.

SC/SF.

// FORWARDED:: BY ORDER//

SECTION OFFICER

be taken against her for violation of Rule 24 of Andhra Pradesh Civil Service (Conduct) Rules, 1964.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJAT BHARGAVA, SPL CS(RB), SECRETARY TO GOVT(CT,EXCISE,REGN,STAMPS)-REV01

To
Smt Thokkudubiyyapu Jayasheela, P&E Sub-Inspector, Integrated Check Post, Purushothapuram, Itchapuram Mandal, Srikakulam District (now retired) through the Commissioner of Prohibition & Excise, Andhra Pradesh, Vijayawada. (w.e.) (02) copies.
The Commissioner of Prohibition & Excise, Andhra Pradesh, Vijayawada (with a request to serve the G.O. to the individual and furnish served copy with dated signature for record).
Copy to:-
The Director General, Anti Corruption Bureau, Andhra Pradesh, Vijayawada.
The Secretary, Andhra Pradesh Vigilance Commission, A.P.Secretariat, Velgapudi.
SC/SF.

// FORWARDED :: BY ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SMT T. JAYASHEELA PROH. & EXCISE SUB-INSPECTOR, INTEGRATED CHECK POST, PURUSHOTTAPURAM, ICHAPURAM MANDAL, SRIKAKULAM DISTRICT IN 07/RCO-ACB/SKL/2016 OF SRIKAKULAM RANGE.

Smt T.Jayasheela, Proh. & Excise Sub-Inspector, Integrated Check Post, Purushottapuram, Itchapuram, Srikakulam District (here-in-after referred as Government Servant) while function as such during the period between 12.01.2016 to 12.07.2016 (till the date of surprise check) committed grave misconduct in as much as;-

Article:-

That the Retired Employee and two other P &E Sub Inspectors respectively at the counter of Proh & Excise Department, Integrated check post at Purushottapuram of Itchapuram Mandal of Srikakulam District, who were supposed to be on duty as per the duty charts of the Administrative officer (who is in charge of the check post and who assigns duties by turn basing on the strength availability of officers and staff) left the entire check post to three private persons for collecting mamools on their behalf and they also had been manipulating the attendance register in conformity with the duty chart.

Thus Smt. T. Jayasheela, Proh. & Excise Sub-Inspector by her above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Govt. Servant and thereby contravened Rule 3(1) & (2) of APCS (Conduct) Rules, 1964.

RAJAT BHARGAVA, SPL CS(RB), SECRETARY TO GOVT(CT,EXCISE,REGN,STAMPS)-REV01

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT IN SUPPORT OF THE ARTICLE OF CHARGES FRAMED AGAINST SMT T. JAYASHEELA, PROH & EXCISE SUB- INSPECTOR, INTEGRATED CHECK POST, PURUSHOTTAPURAM, ICHAPURAM MANDAL, SRIKAKULAM DISTRICT IN 07/RCO-ACB/SKL/2016 OF SRIKAKULAM RANGE.

Smt. T.Jayasheela, Proh. & Excise Sub-Inspector is a native of Official Colony, near Geetanjali Convent, Srikakulam Town. Her date of birth is 02.09.1962. She joined in Government Service on 29.11.1986 as Junior Assistant in the O/o Horticulture (Cashew) Department, Srikakulam, later promoted as junior assistant in the Excise department on 08.11.1988 and then promoted as Proh. & Excise Sub Inspector on 12.02.2002 and she worked as such at several places and further posted at office of Administrative Officer, Integrated Check Post, Itchapuram and worked there from 12.01.2016 to 12.07.2016 (on the date of surprise check). She attained the age of superannuation on 30.09.2024. She is here- in-after called as Government Servant.

CHARGE :-

That the Government Servant and two other P&E Sub Inspectors respectively at the counter of Proh. & Excise Department, Integrated check post at Purushottapuram of Itchapuram Mandal of Srikakulam District, who were supposed

to be on duty as per the duty charts of the Administrative officer (who is in charge of the check post and who assigns duties by turn basing on the strength availability of officers and staff) left the entire check post to three private persons for collecting mamools on their behalf and they also had been manipulating the attendance register in conformity with the duty chart.

FACTS AND EVIDENCE:-

On credible information that the officials working in the Proh. & Excise department counter at the integrated Check post, Purusothapuram, Ichapuram Mandal, Srikakulam District were indulging in corrupt practices and habitually collecting illegal gratifications directly and also through unauthorized agents (private persons) by abusing their official positions from the crew members/ owners of the vehicles, passing through the check-post, without conducting physical verification of the vehicles, connected records of the goods being transported and vehicles and thereby causing pecuniary advantage for themselves and pecuniary loss to the Government exchequer.

Basing on the information, on 12.07.2016, a Surprise Check was conducted by officials of ACB, SrikakulamRange on the Proh. & Excise department counter of Integrated Check post, Purushottapuram, Itchapuram Mandal, Srikakulam District. The DSP along with the surprise check party reached the counter of Proh. & Excise department at 08.20 PM and found three persons in the counter collecting bribe amounts from the crew members and affixing stamps on the records of the vehicles. The DSP and other members of the surprise check party surrounded them and caught hold of the 3 persons and found an amount of Rs. 11,300/- (on physical verification of the private persons) in their possession.

The DSP asked them separately in the presence of mediators about their presence in the counter of Proh. & Excise department at integrated check post and about the possession of cash and recorded their statements in the presence of mediators and they concurrently stated that they are collecting mamools in the Proh. & Excise Counter of Integrated Check Post on behalf of Proh. & Excise officials from the crew members/owners of the transport vehicles. Thereafter on the instructions of the DSP, the ACB staff secured the three crew members of the vehicles on whose gate passes were already affixed and examined and recorded their statements in the presence of the mediators.

Thereafter, on enquiry about the in charge of the Check Post, one person attended before the DSP and introduced himself as Sri Lalam Satyanarayana, ACTO, Commercial Tax Department and informed that as no DCTO was available in C- Shift he was acting as the in charge of the check post from 02:00 PM to 09:00 PM in C-shift. Further DSP asked Sri L.Satyanarayana about the functioning of the Integrated Check Post, he stated that the Employees of the concerned departments have to physically verify the vehicles and the goods being transported in the vehicles and the bills and the connected records in their respective counters as to the validity

of the records/documents of the goods being transported in the vehicles and the department concerned are expected to take action as per law. On the request of the DSP, the ACTO Sri L.Satyanarayana produced duty register, duty chart of Excise & Prohibition Deportment for the month of July, 2016, attendance register and personal cash declaration register and further stated that Sri R.Nana Babu SI, Excise & Prohibition Department was supposed to be on duty from 09:00AM on 12.07.2016 to 09:00 AM on 13.07.2016, but he did not find him in the premises during his duty period. He has also informed that as per the duty chart, the staff Excise Department should watch the vehicles and prevent passing of the vehicles without checking by the Excise & Prohibition Department.

The DSP seized the duty chart of Excise & Prohibition Department for the month of July-2016, duty register being maintained from 04.06.2016 to 12.07.2016 and it was found written up to page No.119, attendance register for the month of July, 2016 and Personal Cash Declaration Register being maintained from 04.06.2016 to 12.07.2016 which was written up to page No. 120 by duly attested by the mediators.

At this stage at 12:30 midnight Sri K.Mallikarjuna Rao, Proh. & Excise Inspector, Ichapuram came to check post and appeared before the DSP ACB. The DSP informed him about the absence of Sri R.Nana Babu Excise SI from check post duties and apprehension of three private agents as they were collecting bribes from the crew members and stamps and stamp pads of the Excise & Prohibition Department etc in the possession of the said persons.

At the request of the DSP ACB, Sri K.Mallikarjuna Rao contacted Sri R. Nana Babu Excise SI over cell phone and enquired about his whereabouts and requested him to come to the check post immediately. Sri R.Nana Babu informed that he was at Surya Lodge,Ichapuram and requested to provide transport to come to the check post. Accordingly, the Excise Inspector sent his vehicle to Surya Lodge for picking up Sri R. Nana Babu.

On examination, Sri K. Mallikarjuna Rao stated that three Excise Sub-Inspectors viz Sri. R. Nana Babu, Smt T. Jayaseela and Sri G. Atcharao were posted to the Integrated check post Purushottapuram by the Deputy Commissioner of Excise, Srikakulam during general transfers and they are under the control of Administrative Officer, Integrated Check Post Purushottapuram and their salaries, leaves and other administrative matters were being look after by the Government Servant of the Check Post.

Sri R. Nana Babu Excise SI attended the Check post at 1:10 AM and appeared before the ACB DSP. On examination he stated that he continuously attended duties at the check post since 08.07.2016 and as such he can take rest for eight days as his family is residing at Srikakulam. Smt T.Jayaseela will attend duty at the check post from 13.07.2016 and she will continue her duties for four days and later Sri Atcharao will attend duties for subsequent four days. When he was asked by the DSP why he has not attended for duties to the check post he stated that he was

coming and going as the brokers were occupying their counter and stamping the documents of the vehicles and collecting bribes on their behalf and they were giving the bribe amounts to them by deducting 10% to 20% towards their share.

The DSP seized the photocopies of the documents of three vehicles along with original gate passes (vehicles on whose gate passes the stamps of Prohibition & Excise Department were already affixed), duty chart of the staff of Prohibition & Excise Department for the month of July 2016, the Duty register, the attendance register for the month of July 2016 and the Personal cash Declaration Register after duly obtaining signatures of the mediators. The proceedings were concluded at 01.30 AM on 28.11.2015. Surprise check proceedings were drafted to that effect by the mediators from 2040 hrs on 12.07.2016 to 0200 hrs on 13.07.2016.

As prima-facie evidence emerged in this case, a case in Crime No.07/RCO-ACB/SKL/2016 U/Ss 13(2) r/w 13(1) (d) of P.C.Act, 1988 and Sections 34,109 & 120B IPC was registered on 13.07.2016 at 11:30 hrs against AO-1 Sri R.Nana Babu (Government Official) and A-2 Sri P.Ramesh Bhaditya, A-3 Sri Reddy Giri and A-4 Sri D.Bairagi (Private persons) and investigated into. Sri R.Nana Babu (Government official) and A-2 Sri P.Ramesh Bhaditya, A-3 Sri Reddy Giri and A-4 Sri D.Bairagi (Private persons) were arrested on 13.07.2016 at 19:00 hrs in the ACB office, Srikakulam and produced before the Hon'ble Special Court for SPE and ACB cases, Visakhapatnam.

During the course of investigation, I.O secured the presence of (1) Sri K.Mallikarjuna Rao, Prohibition & Excise Inspector, P&E station, Itchapuram, Srikakulam District (2) Sri Lalam Satyanaryana, ACTO, ICP, Itchapuram (incharge admin officer) (3) Sri Voleti Rama Mohana Rao, Driver of lorry bearing No AP16 TX 7036 (4) Sri Katta Srivenkata ramana sairam, Driver of lorry bearing No AP05 TD 4576 (5) Sri Gorle Vijaya Kumar, Driver of lorry bearing No AP16 TG 6729(7)Sri Pondari Ramesh Bhaditya, S/o Arjuna Bhaditya, 55 yrs, Peddaveedhi, Purushottapuram, Ichapuram Mandal, Srikakulam District. 8) Sri Reddy Giri, S/o late Domburu, 50 yrs, Chinnaveedhi, Purushottapuram, Ichapuram, Srikakulam Dist 9) Sri Dhanapana Byraghi S/o late Janardhan, aged 60 yrs, Pedda veedhi, Purushottapuram, Ichapuram Mandal, Srikakulam 10) Sri Kinjarapu Venkata Ramana, S/o Ramamurthy, 42 years, Dy. Commercial Tax Officer, Integrated Check Post, Purushottapuram, Ichapuram Mandal, Srikakulam District.11) Sri P. Surendra Prasad, Dy. Commissioner, Prohibition & Excise department, Srikakulam District and recorded their statements u/s 161 CR.P.C.

That the Government Servant and other two Proh. & Excise S.I's respectively at the counter of Proh. & Excise department, Integrated Check Post at Purushothapuram of Ichapuram Mandal of Srikakulam District, who were supposed to be on duty as per the duty charts of the Administrative Officer (Who is in charge of the check post and who assigns duties by turn basing on the strength/availability of officers and staff) left the entire check post to three private persons on 12.07.2016 for

collecting mamools on their behalf and they also had been manipulating the attendance register in conformity with the duty chart.

Thus the Government Servant by her above mentioned acts has exhibited lack of integrity, devotion to duty and conduct Unbecoming of a Government Servant and thereby contravened Rule 3(1), (2) of APCS (Conduct) Rules.

Thus, the Government Servant Smt T.Jayasheela, Sub-Inspector Proh & Excise rendered herself for regular departmental enquiry for major penalty.

RAJAT BHARGAVA, SPL CS(RB),
SECRETARY TO GOVT(CT,EXCISE,REGN,STAMPS)-REV01

ANNEXURE-III

List of witnesses:

1. Sri Uppada Santha Rao, S/o. Sri Krishnamurthy, Head Master, Z.P. High School Board, Narasannapeta, Srikakulam District:

He is the 1 mediator. He stated about the contents of Surprise Check Proceedings dated 12/13.07.2016.

2. Sri Gandreti Vinay Kumar, S/o. Sri G. Francis, Hindi Pandit, Z.P. High School Board, Narasannapeta, Srikakulam District:

He is the 2nd mediator. He stated about the contents of Surprise Check Proceedings dated 12/13.07.2016.

3. Sri K. Mallikarjuna Rao, Proh. & Excise Inspector, P&E Station, Ichapuram, Srikakulam District:

He stated that during the surprise check, he had contacted Sri R. Nana Babu, Prohibition & Excise SI over cell phone, enquired about his whereabouts and requested him to come to the check post immediately. Sri R. Nana Babu informed that he was at Surya Lodge, Ichapuram and requested him to provide transport to enable him to come to the check post. Accordingly, the Prohibition & Excise Inspector sent his vehicle to Surya Lodge for picking up Sri R. Nana Babu. He also stated that three Prohibition & Excise Sub-Inspectors viz. Sri R. Nana Babu, Smt. T. Jayaseela and Sri G. Atcharao were posted to the Integrated check post at Purushottapuram by the Deputy Commissioner of Excise, Srikakulam during general transfers and they are under the control of Administrative Officer, Integrated Check Post, Purushottapuram and their salaries, leaves and other administrative matters were being looked after by the AO of the Check Post.

4. Sri Lalam Satyanarayana, S/o. Late Atchiyyanaidu, age 55 years, ACTO, Commercial Taxes Department, Integrated Check Post, Purushottapuram, Srikakulam District, In-charge Admn. Officer, Integrated Check Post, Purushottapuram:

He stated that Sri K. Venkataramana, DCTO was the in-charge Administrative Officer and in-charge of the Check post from 10.00 hours to 17.00 hrs on that day of surprise check in the day time. He also informed that as no DCTO was available during the C- Shift, he was acting as the in-charge of the check post from 02.00 PM to 09.00 PM during the C-shift. When asked about the functioning of the Integrated Check Post, he stated that the officials of Commercial Tax Department, Transport Department, Pro. & Excise department, Forest department, Mines dept. and the Agricultural Market Committee are working in the Integrated Check Post. The employees of the concerned departments have to physically verify the vehicles and the goods being transported in the vehicles and the bills and the connected records in their respective counters as to the validity of the records/documents of the goods being transported in the vehicles and the department concerned are expected to take action as per law. On the request of the DSP, he produced duty register and duty chart of the officials of Excise & Prohibition Department for the month of July 2016 and their attendance register and personal cash declaration register. The DSP verified the aforesaid duty chart and found that Sri R. Nana Babu was supposed to be on duty from 09.00 AM on 12.07.2016 to 09.00AM on 13.07.2016. But he was not available in the premises of the integrated check post. On verification of the duty register, personal cash declaration register and attendance register, it was found that Sri R. Nana Babu did not sign in those three registers maintained in the check post. When Sri Lalam Satyanarayana was asked in this regard, he stated that Sri R. Nana Babu, SI, Prohibition & Excise Department was supposed to be on duty from 09.00 AM on 12.07.2016 to 09.00 AM on 13.07.2016 but he did not find him in the premises of the check post during his duty period. Sri L. Satyanarayana also informed that as per the duty chart, the staff of Prohibition & Excise Department should watch the vehicles and prevent passing of the vehicles through the check post unless those vehicles are checked by the staff of Prohibition & Excise Department.

5. Sri Voleti Rama Mohanarao, S/o. Late Krishnarao, 45 yrs, R/o. Hanuman Junction, Bakilapadu mandal, Krishna District, driver of lorry No.AP16TX 7036.

6. Sri Katta Srivenkataramana Sairam, S/o. Sri Arjunudu, 25 yrs, R/o. Rajupalem Lanka, Peddapudi mandal, East Godavari Dist. Driver of lorry No.AP.05. TD 4576.

7. **Sri Gorle Vijayakumar, S/o. Sri Venkata Ramana, 23 yrs, R/o. Ramavarapu padu village, D.No.4-136, Model village, Krishna District, Cleaner of lorry No.AP16 TG 6729.**

They categorically stated that it has been a regular practice for them to come to the Commercial Tax Department counter in that check post for getting their vehicle

records stamped. After their vehicle records are stamped, the Commercial Tax Dept. will issue gate passes to them. Then they will go to the counters of the Transport Dept., Prohibition & Excise Dept. and other Departments to get the stamps on their gate passes to allow their vehicles to pass through the check post. On that day of surprise check, they went to the counters of Commercial Tax Dept, got their documents stamped and obtained gate passes from them. Later they went to the counters of the Transport Dept. and Excise & Prohibition Dept. and got their stamps affixed on their gate passes. They also informed that the officials of Prohibition & Excise Dept not available at the counter of the Prohibition & Excise Dept but the three persons were available in the counter of the Prohibition & Excise Dept. and they have collected Rs. 10/- to 20/- from each vehicle and affixed their stamp on their gate passes. They identified those three persons caught by the ACB officials in the counter of the Prohibition & Excise Dept. as the three persons who had collected the bribe amount from them and affixed the stamps of Prohibition & Excise Dept. on their gate passes.

8. Sri Pondari Ramesh Bhaditya, S/o. Sri Arjuna Bhaditya, 55 yrs, R/o. Peddaveedhi, Purushottapuram, Ichapuram mandal, Srikakulam District.

9. Sri Reddy Giri, S/o. Late Domburu, 50 yrs, R/o. Chinnaveedhi, Purushottapuram, Ichapuram, Srikakulam Dist

10. Sri Dhanapana Bairagi, S/o. Late Janardhan, aged 60 yrs, R/o. Pedda veedhi, Purushottapuram, Ichapuram mandal, Srikakulam.

They stated that they are private persons and they were engaged by the officials of Excise & Prohibition department of the check post to collect bribe @ Rs. 10/- to Rs.20/- for the officials of Excise & Prohibition department from the crew members/owners of the vehicles passing through the check post for getting their vehicle records stamped and then issuing gate passes to them without physically verifying their vehicles and the goods being transported. They take 10% of the collected bribe amount and hand over the remaining amounts to the officials. On 12.7.2016 at 9:00 AM, Sri Nana Babu, Sub-Inspector of Excise & Prohibition Dept, attended to his duty in the counter of the check post, handed over three stamps and two stamp pads to them and instructed them to collect bribe from the crew members of the vehicles @ Rs. 10/- to Rs.20/- and get their vehicle records stamped and then issue gate passes to them and immediately left the counter. Since that time, they had been collecting bribe amounts ranging from Rs. 10/- to Rs. 20/- from the crew members of the vehicle, getting their vehicle records stamped and then issuing gate passes to them and that the amount available with them was the bribe amount collected by them on behalf of Sri Nana Babu since 9 AM of that day.

11. Sri Kinjarapu Venkata Ramana, S/o. Sri Ramamurthy, 42 years, Dy. Commercial Tax Officer, Integrated Check Post, Purushottapuram, Ichapuram mandal, Srikakulam District.

He stated about the procedure to be followed in maintenance of check post, duties of P&E department officials at Integrated Check Post and the registers to be maintained at Integrated Check Post. He also furnished the service particulars and job chart of the P&E Sub Inspector of Integrated Check Post and etc, facts.

12. Sri P. Surendra Prasad, Dy. Commissioner, Prohibition & Excise department, Srikakulam District.

He stated about the posting of Smt Tokkudubiyapu Jayasheela (Government Servant), P&E Sub Inspector at Integrated Check Post, duties of P&E department officials at Integrated Check Post etc., facts.

13. Sri K. Ranga Raju, DSP, ACB, Srikakualm.

He speaks to the facts of surprise check conducted on the Proh. & Excise department counter at integrated check post, Ichapuram on from 20.40 hrs on 12.07.2016 to 02.00 hrs on 13.07.2016 on the information that the officials of Proh. & Excise department of Integrated Check Post are collecting mamools through the brokers from the transport crew and seized unaccounted cash of Rs.11, 300/- from the possession of unauthorized agents and relevant records under the cover of surprise check proceedings etc

14. Sri P. Srinivasarao, Inspector of Police, Anti Corruption Bureau, Srikakualm.

He speaks to the facts of his assisting in the surprise check which was conducted on from 20.00 hrs on 27.11.2015 to 01.30 hrs on 28.11.2015 against Integrated Check Post, Purushottapuram, Itchapuram and his observation in disguise during the surprise check, submission of FIR, arrest of the accused and further investigation, his report.

RAJAT BHARGAVA, SPL CS(RB), SECRETARY TO GOVT(CT,EXCISE,REGN,STAMPS)-REV01

ANNEXURE-IV

LIST OF DOCUMENTS:

1. Copy of FIR along with Copy of occurrence report.

It showed that the Government Servant along with other two excise officers by leaving the check post to the private agents, has been collecting bribe amounts at the Prohibition & Excise department counter of Integrated Check Post, Purushottapuram through the unauthorized agents (private persons) viz. A-2 to A-4 from the transport crew members/owners of the vehicles whose vehicles pass through the check post for stamping their records without verifying the vehicles and without verifying the

goods being transported physically and The DSP seized the cash of Rs. 11,300/- from the possession of A-2 to A-4.

2. Copy of Surprise Check proceedings dated 12/13.07.2016.

It showed that the mediators drafted proceedings on 12/13.07.2016 in SC No.05/SC- ACB/SKL/2016 at the Prohibition & Excise department counter at Integrated Check Post, Purushottapuram from 20.40 hours on 12.07.2016 and it was concluded at 02.00 hours on 13.07.2016.

3. Copy of Attendance register of the Integrated Check Post, Purushottapuram, Ichapuram mandal, Srikakulam District maintained from July, 2016

It showed that the Government Servant, who is working in the Check post, signed inthe attendance register as per duty charts.

4. **Duty register of staff of Integrated Check Post, Purushottapuram, Ichapuram mandal, Srikakulam District maintained from 04.06.2016**

It showed that the Government Servant, who is working in the Check post, signed in the duty register continuously for four days.

5. Copy of Personal cash declaration register of Integrated Check Post maintained from 04.06.2016.

It showed that the Government Servant, who is working in the Check post, signed in the personal cash declaration register and duty register continuously for four days.

6. Copy of Duty chart of the employees of P&E Department for the month of July, 2016

It showed that the Government Servant, who is working in the Check post, signed in the duty register continuously for four days.

7. Copy of made up file containing original gate passes of 3 vehicles.

It showed that the private persons A-2 to A-4 were stamping the official department stamp of Prohibition & Excise department on the gate passes as if they were the employees of the P&E department and collecting bribes from the crew members on behalf of charged officer and other two officers.

8. Copy of made up file containing photocopies of documents of lorry bearing No. AP 16 TG 6729

9. Copy of made up file containing photocopies of documents of lorry bearing No. AP 16 TX 7036

10. Copy of made up file containing photocopies of documents of lorry bearing No. AP 05 TD 4576

These three made up files slow that those three vehicles passed through the check post on the date of surprise check and some of their crew members were examined by the I.O.

11. Copy of Statement of witnesses mentioned in the oral evidence vide Sl.No.5 to 10

12. Copy of Rc.No.16/2016 HC dated 21.07.2016 of the FAC Administrative Officer, Integrated Check Post, Purushottapuram.

It shows the service particulars of the Government Servant.

RAJAT BHARGAVA, SPL CS(RB), SECRETARY TO GOVT(CT,EXCISE,REGN,STAMPS)-REV01

Digitally Signed by Rajat Bhargava
Date: 19-01-2024 14:59:51
Reason: Approved